

UNITED STATES DISTRICT COURT

District of Massachusetts
1 courthouse way, suite 2300
Boston, Massachusetts. 02210
617-748-9152

Rashid Jahm

Plaintiff

Vs

Dennis D. Leiber, in his official
And individual capacity,
Circuit Court Judge
Defendants-Appellees

Mary Kelly, in her official
And individual capacity,
Deputy County Circuit Court Clerk
Defendants-Appellees

State of Michigan, ex rel.
And City of Walker A Michigan
Municipal Corp.
Defendants-Appellees.

Governor Jennifer M. Granholm
P.O. Box 30013
Lansing, Michigan 48909
PHONE (517) 373-3400

Paul J. fischer, in his official
And his individual capacity
Executive Director
Defendant-Appellees.

Craig Noland (P30717)
Smith, haughey, Rice, & Roegge
200 calder Plaza Bldg.
250 monroe N. W.
Grand Rapids, MI. 49503
(616) 774-8000
Defendant-Appellees.

Case No:

Jury Trial Demanded

05 - 11638 JLT
referred to Mr. J. Alexander
180 Ottawa NW Suite 10500D
Grand Rapids, MI 49503
Phone: (616) 632-5012

180 Ottawa NW Suite 2400
Grand Rapids, MI 49503
Phone: (616) 632-5480

Michigan Department of Attorney
General Mike Cox.
G. Mennen Williams Building,
7th Floor 525 W. Ottawa St.
P.O. Box 30212
Lansing, MI 48909
Main Number (517) 373-1110

Michigan Judicial Tenure Commission
3034 West Grand Blvd Suite 8-450
Detroit, MI 48202
Phone: (313) 875-5110

Great American insurance
Professional Division Division
1755 north Collins Boulevard
LB # 506
Richardson, TX. 75080-3638
Phone: (972) 437-7101
Defendant- Appellant.

Broad Spire Claim No.169DU324091, 565AU109329
P. O. Box 8141
Vernon hills, IL. 60061

Kemper Insurance president Claim Dept
One Kemper Lane Long Grove, IL. 60049 ph: (847) 320-3844
Claim No.169DU024091 Claim No. 565AU109329
Defendant

Catherine Garcia- Lindstorm in his official and individual capacity
Walker Police Department 4343 Remembrance Rd.Walker, MI. 49544-1181
(616) 791-6802
Defendant

George S. Butth in his official and individual capacity Circuit Court Chief Judge
180 Ottawa NW Suite 11200A Grand Rapids, MI 49503 Phone: (616) 632-5020
Defendant

Shawn M. Breimayer, CSR (6888) 180 Ottawa NW Suite10500D Grand Rapids, MI
49503 Phone: (616) 632-5012
Defendant

SOMMON, COMPLAINT

Plaintiff complains of the above named Defendants and for causes of action against them, allege as follows:

NATURE OF THIS ACTION

1. This is a federal civil rights action pursuant to 42 U.S.C. § 1983 and § 1988, and the federal constitutional provisions and statutes referred to herein, by all the above names mentions as defendants are Michigan State employees has conspire against plaintiff.
2. Plaintiff seeks compensation from Defendants in the form of special, general, consequential, and punitive damages – except as prohibited by law – including the other fees and costs reasonably incurred in the prosecution of this action.
3. The damages Plaintiff seeks from Defendants are the proximate, direct and

consequential result of Defendants' willful, and/or malicious, and/or intentional, and/or reckless and/or deliberately indifferent actions and/or omissions, individually or in concert with others, which violated Plaintiffs' federal constitutional and statutory rights including – but not limited to – their conduct in:

4. Unlawfully depriving, and conspiring to deprive, Plaintiff of his well-established federal constitutional and statutory rights and his rights to enjoy the due process and equal protection of law and the equal application of the law.

Now comes plaintiff who has been victimize by Michigan state judicial and plaintiff has exhaust his state level last hope when Michigan Supreme Court has fail to protect his constitutional right. Plaintiff's complaint contains several claims, all of which remain at issue. All defendants deprived plaintiff from his constitutional right. Plaintiff seeks constitutional and This Court has jurisdiction over all defendants to stop them not to deprive plaintiff from constructional right.

The first is a claim under 42 U.S.C. Section 1983 in which plaintiff alleges that all conspiring parties, acting under color of state law, deprived plaintiff of his constitutional right under equal protection of the laws under the Fourteenth amendment.

The second is a claim under 42 U.S.C. Section 1985(3) in which plaintiff alleges that all parties conspired to deprive plaintiff of his rights to due process, equal protection of the laws and of equal privileges and immunities under the laws. The third is a state law claim in which plaintiff asserts a claim of intentional infliction of emotional distress based primarily on the alleged incident of plaintiff's Oct. 31.1999 car accident.

Plaintiff is requesting justice, due process and fair trial from this honorable court under a fair jury.

Plaintiff, as and for his complaint, alleges the following upon personal knowledge as to himself and his own acts, and upon information and belief as to all other matters.

Plaintiff's information and belief is based, during Auto accident (plaintiff was hit from passenger side by police car) and plaintiff filed motions and complaints against Frauds, breach of protected order as In Pro se against defendant Craig Noland but response from the trial judge.

Judge D. Leiber did not hear plaintiff's motions and complaints intentionally and further conspire with other parties to victimize plaintiff and using his influence to get court administrative staffs to do misconduct against plaintiff which show proof on the face of the court records and other documents and confusing the case further tampering with transcript which is available for proof. Plaintiff believes that, in addition to the evidence contained in the court records himself or herself; substantial evidentiary support will exist for the allegations set forth after a reasonable opportunity for discovery.

Jurisdiction of this Court

Jurisdiction of this action is based upon federal question jurisdiction pursuant to Title 28, United States Code, Sections 1331, 1331(a) and the Due Process Clause of Art. IV of the United States Constitution. This court has jurisdiction over plaintiff's common law claims, *infra*, and venue is proper pursuant to Title 28, United States Code, Section 1391. The issue before this court is the violation of the Plaintiff's civil rights pursuant to

Title 42 U. S. C. § 1983 and 1985(2) and raises federal questions and constitutional issues.

1. This is a civil rights case brought under Title 42 U. S. C. § 1983 and 1985(2) for violations of the Plaintiff's rights to due process of law under the 14th Amendment of the United States Constitution and for obstruction of justice. Plaintiff contends that these Defendants conspired with State Actors acting under color of state law to undermine the Plaintiff's right.
2. The State Actors allowed defendant Craig Noland in his alleges case of frauds, defamations, slander per se case to act as legal counsel for breach and violation of plaintiff's protected order in the same case.
3. The state actors allowed defendant Craig Noland to present altered and tampered pictures of plaintiff Auto accident case of Oct, 31.1999.
4. The state actors allowed the defendant Craig Noland commit the crimes of perjury, tampering with physical evidence, and tampering with transcripts of the trial together with Court reporter Shawn M Breimayer CSR (6888) a judicial process in order to conceal their fraud.
5. The State Actors, which included few state employees, state judges and all parties tricked, conspired and manipulated them into a conspiracy to conceal the breach constitutional conduct so as to allow the defendants to avoid liability in plaintiff's Auto accident case
6. The standard for reversing a verdict because of general judicial misconduct during trial is rather stringent.' Kennedy, 901 F.2d at 709. To sustain a claim of this kind, there must be an 'extremely high level of interference' by the trial

- judge which creates 'a pervasive climate of partiality and unfairness.' U.S. v. DeLuca, 692 F.2d 1277, 1282 (9th Cir.'82). See also Laurins, at 537 ('A judge's participation [in the trial] justifies a new trial because plaintiff proof with documented record shows actual bias and leaves an abiding impression that the jury were implanted to damage plaintiff and get outcome for their personal gain
7. At the same time, however, courts have recognized that a trial judge is 'more than an umpire.' U.S. v. Laurins, 857 F.2d 529, 37 (9th Cir.'88), cert. denied, 492 U.S. 906 ('89). It is perfectly appropriate for a judge to 'take part where necessary to clarify testimony and assist the jury in understanding the evidence.' U.S. v. De Sisto, 289 F.2d 833, 834 (2d Cir.'61). See also Laurins, at 537 (trial judge 'may participate in the examination of witnesses to clarify evidence, confine counsel to evidentiary rulings, ensure the orderly presentation of evidence, and prevent undue repetition'); U.S. v. Mostella, 802 F.2d 358, 361 (9th Cir.'86) (same); U.S. v. Poland, 659 F.2d 884, 93 (9th Cir.) (Finding questions calculated to make testimony clearer to jury not improper), cert. denied, 454 U.S. 1059 (1981). But in the case of plaintiff it was opposite. Judge accept and allowed tampered and altered pictures and evidence presented by the Craig Noland when plaintiff point out that these picture are tampered and altered trial judge warn plaintiff not to object about the tampered pictures.
 8. The inappropriate role of judge D. Leiber that he played in plaintiff's jury trial has been the subject and cause of a number of appeals.
- Courts have said a trial judge must always remain fair and impartial. But judge D. Leiber was not fair. Kennedy v. Los Angeles Police Dep't, 901 F.2d 702, 09

(9th Cir.'89). He must be ever mindful of the sensitive role [the court] plays in a jury trial and avoid even the appearance of advocacy or partiality. Which he did appeared against plaintiff ' ' Id. (quoting U.S. v. Harris, 501 F.2d 1, 10 (9th Cir.'74)).

9. The fact is the state trial judge's behavior rendered the trial so fundamentally unfair as to violate federal due process under the U.S. Constitution. Gayle v. Scully, 779 F.2d 802, 06 (2d Cir.'85), cert. denied, 479 U.S. 838 ('86); McBee v. Grant, 763 F.2d 811, 18 (6th Cir.'85).
10. Mostella, 802 F.2d at 362 (judge's excessive bias and allowing tampered and altered picture of the scene presented by the defendant's attorney Craig Noland did amount to 'extreme overstepping of his proper judicial role'--conviction affirmed); Poland, 659 F.2d at 894 (finding trial judge's impatience with plaintiff, yelling, warning and displays of irritation).
11. Plaintiff motions was refused and never allowed to be heard by the Judge D. Leiber to that the Constitution has been violated').
12. Trial judge did not ask plaintiff if he want to be represented by new counsel.
13. Trial judge sign the order with out plaintiff new counsel.
14. Trial Judge refused to hear motion of fraud filed from plaintiff and was filed within 7 days.
15. Trial Judge always favor defendant Craig Noland even though motion was filed from plaintiff.
16. Judicial independence is predicated on "good faith" decision-making. It was never intended to include "bad-faith" decision-making, where a judge

knowingly and deliberately disregards the facts and law of a case. This is properly the subject of disciplinary review, irrespective of whether it is correctable on appeal. And egregious error is also misconduct, since its nature and/or magnitude presuppose that a judge acted willfully, or that he is incompetent.

17. Plaintiff has assessed of judicial misconduct mechanisms during his trial and after his trial when plaintiff represent himself.
18. The most serious misconduct by judges is that which is the least likely to subject them to discipline. It is not what they do in their private lives, off the bench, but what they do on the bench in the course of litigation. The obvious image is the judge who runs his courtroom as if he owns it, who looks down from his elevated bench and treats litigants in an imperious and abusive fashion. But even where a judge is, as he is supposed to be, patient and dignified in his demeanor, every court appearance, just like every written motion, involves a judge ruling on a procedural or substantive aspect of a case. And there are judges who, while presenting a veneer of fairness, are intellectually dishonest. They make rulings and decisions which are not only a gross abuse of discretion, but which knowingly and deliberately disregard "clear and controlling law" and obliterate, distort, or fabricate the facts in the record to do so.
19. Why would a judge be intellectually dishonest? He may be motivated by undisclosed bias due to personal or political interest. Judicial selection processes are politically controlled and closed, frequently giving us judges who are better connected than they are qualified. And once on the bench, these judges reward

their friends and punish their enemies. Although ethical codes require judges to disclose facts bearing upon their impartiality, they don't always do so. They sit on cases in which they have undisclosed relationships with parties, their attorneys, or have interests in the outcome, and do so deliberately because they wish to advantage either one side over another or sometimes themselves. Trial Judge was not original assignee to the plaintiff case he came last minutes just for the trial and did know nothing about the base of the case. He still kept himself in the trial case when he comes to know that he was judge in plaintiff's divorce case.

20. Judge exercises their wide discretion in favor sides of defendant. That's the side for whom deadlines were flexible and for whom procedural standards and evidentiary rules didn't apply.. Meanwhile, Plaintiff struggles to meet deadlines and has its worthy motions denied. In extreme Judge design a judicial process that make victory for defendant and defeat for plaintiff that was the standards use in entire trial during trial was none legal principles, rules of evidence, Judge never heard motions filed by plaintiff but made favorable decision for Craig Noland.

21. It involves a judge's knowing and deliberate misrepresentation of the material facts on which the case pivots. These facts determine the applicable law. If the applicable law doesn't allow the judge to do what he wants to do. judge changed the material facts so that judge can apply law. judge just rendered decisions without reasons or factual findings.

22. Trial Judge yells on plaintiff.

23. Trial Judge ignores plaintiff motions. Did not care to hear even plaintiff valid points.
24. Trial Judge made decision in favor of defendant when Craig Noland went forward to close to judge table during trial and whisper with judge. That whispering conversation was not heard by the court reporter to report it.
25. Judge rule was above the law and not correctly on the admissibility of the evidences. Proof can be provided.
26. The instructions to the jury were not consistent with the law covering the law and constitutional rights of the plaintiff.
27. Bias and prejudice did intervene to cause unfair results to plaintiff.
28. Errors were called at the judgment day by plaintiff with out his counsel to the judge's attention in trial proceedings. That Craig Noland has done fraud with plaintiff.
29. Trial Judge shouted on plaintiff you take that judgment paper now when plaintiff refuses to take final judgment paper on Oct. 4, 2002 presented by Craig Noland because it was all fraud that's why plaintiff refuse to accept it.
30. Plaintiff asks the court to rule that it is improper for defendants to represent other defendants.
31. Plaintiff asks the court to rule that Defendants' conduct appears to constitute several criminal acts and should be investigated by a prosecutor.
32. Plaintiff asks the court to rule that the conduct of the defendants constitutes professional misconduct and recommend that the Chief Disciplinary Counsel initiate an investigation.

33. Court costs should be assessed to Defendants.

34. Injunctive Relief

35. This court should issue orders sanctions sua sponte if the defendants attempt to undermine the Plaintiff's due process rights before this court.

36. It has injured him emotionally, causing him mental suffering, loss of sleep, depression, nervousness, grief, anxiety, worry, anger, mortification, shock, memory loss, humiliation, indignity, embarrassment, and paranoia, uncertainty, apprehension; and,

37. As well as incurring him the pain and suffering of litigation, which has required thousands of hours of his time and energy to learn the law and for research and writing to pro se

38. It has caused plaintiff to suffer and aggravate a lack of concentration that has resulted in an inability to perform his normal life That Plaintiff has suffered severe and permanent damage to his life.

39. Destroyed plaintiff faith and trust in the American judicial system, causing him to believe that lawyers and judges can break the rules with impunity and get away with it.

40. He lives in fear that he will be incarcerated for standing up for his constitutional rights

41. It is at present causing him emotional pain and suffering. That he anticipates that he will never again be able to function as a normal member of society,

42. Plaintiff suffers permanent damage from legal abuse syndrome.

43. Plaintiff have told in front of jury during trial that these picture have been tampered but trial judge instead of investigation of these picture I was given warning by the trial judge of not to mention.

44. Regarding defamations. Motion which plaintiff has never been heard on Nov.1.2002? Even though plaintiff file motion regarding defamation and frauds. Plaintiff was given date by Hon. Judge D. Lieber during Oct, 4.2002 when plaintiff file motion objecting to the due process violation of plaintiff right of due process and violation of fair trial. And defamation, frauds.

45. Even though. Plaintiff have brought proof of new finding but court never even heard when I was given Date by Hon Judge D. Leiber for Nov. 1. 2002. But trial judge intentionally ignore the motion and judge did not showed up. Even though he was in the building and defendant Craig Noland was in the building too.

46. Defendant Mr. Craig Noland is grossly negligence for violating plaintiff's protected order, which I can prove, degrading, ethnic remarks toward plaintiff and bringing plaintiff sex life that was not related to case. I am astonished to find out regarding tampering with my photos of my car accident.

Relief Requested

Court find defendant to brings him to justice Plaintiff should be compensated for defendant wanton act in personally for the amount of \$200.000 and whatever jury feels fair compensation for relief. **Plaintiff requested claim trial by jury. See Rule 38(b) of the federal Rules of Civil procedure.**

George S. Buth

- 43 Defendant refuses to hear motion for legal help and transcript compensation (due to his disability to pay fees for transcript), which was filed on DEC. 10. 2002.
- 44 Defendant was bias and violates plaintiff's constitutional right by not investigating on letter that was sending on Oct. 20. 03 by state Court Administrative office responded to filed plaintiff's complaint on Nov. 12. 2002. for planting some jury members to control the outcome of the trial.

Paul J. Fischer

- 45 Defendant knowingly and wanton bias with plaintiff and try to confuse the fact for discipline the judge for bias and allege.
- 46 Defendant has used same tactics when answering to three complaints of plaintiff against two judges.
- 47 Defendant has acted on his own risk over looking the law and plaintiff's constitutional right and bias towards plaintiff.
- 48 Defendant intentionally ignores the evidence, which is in the court records as proof of misuse of power and bias.
- 49 Defendant did not ask for proof.

Defendants is liable for creating confusion in the justice and giving mental anguish to plaintiff request for justifying his pain and suffering \$100,000 or remove him from his very sensitive job. Plus investigation.

Mary Kelly. Deputy county clerk.

50 Plaintiff's request of retrial and firing of his attorney document are not in the administrative office. Plaintiff has proof of filing.

51 Mary Kelly took the papers herself from plaintiff. And give him one with stamped. And charged plaintiff \$20 for fee.

52 Plaintiff is doubt full if plaintiff's attorney 9-17-2002 motion of withdrawal as counsel for the plaintiff is still in the administrative office file.

53 Mary Kelly many times came to counter when plaintiff went to file motion she always confuse to plaintiff and yell at him.

Catherine Garcia- Lindstorm

54 Defendant heard when Craig Noland offer weekend boat ride to insurance claim adjuster in front of the elevator when plaintiff and his attorney was waiting for the elevator.

55 Defendant always came during entire trial in police chief uniform.

56 Defendant called to stop Craig Noland when Craig Noland was taking testimony of plaintiff's two expert witnesses. That was clearly harassment tactics to plaintiff witnesses.

Defendant Craig Noland

In committing the acts of which reference is made in this complaint, Defendants have acted willfully, maliciously, wantonly, oppressively, intentionally, knowingly, fraudulently, in bad faith, and with reckless disregard of the consequences and with such entire want of care as raises the presumption of conscious indifference and

malice toward Plaintiffs such as to entitle Plaintiffs to punitive damages of Ten Millions Dollars or Bar him from practice of Law for life under united state law; further, that Defendants acted with the specific intent to cause serious harm to Plaintiffs. Defendants' conduct was intentional and reckless and designed to cause severe damage to Plaintiffs. Further, Defendants' conduct was extreme and outrageous as those terms are defined in united state law and without justifiable legal excuse. Plaintiffs have suffered severe emotional distress because of Defendants' actions and plaintiff has been unable to maintain mental feeling of closures of the case. Defendant Mr. Craig Noland insulting plaintiff, I am sure in justice opinion will be disgraceful and hurtful toward plaintiff. Defendant racist, unwarranted, vicious attack on plaintiff was inhuman. Defendant causes plaintiff to question the purpose of personal protected order. He is liable of all the suffering that plaintiff went through. His attacks on plaintiff were inhuman and irrelevant to the case. And acting above the law in the court encouraged and applauded by the trial judge and silently approved his purposeless and malicious actions. Hate, bigotry, and incivility did advance the cause of destroy legal right and constitutional right.

57 Strict Liability,

58 Fraud and Misrepresentation,

59 Conspiracy to Misrepresent, alter document and Commit fraud,

60 Violation of constitutional right, violation of due process

61 Intentional Infliction of emotional Distress,

62 Extortion,

63 Slander per Se.

64 Defamation

65 Libelous

66 Violation of MRC. 9.104(3) (4)

67 Filing of claim with insurance under professional insurance code

instead of Auto accident insurance claim code with police car of Oct. 31.
1999.

**68 Getting thousands of dollar checks from insurance company issuing on
plaintiff name and never inform plaintiff and did not give any penny to
plaintiff. Where are those checks? Why plaintiff was not informed?**

Defendant great American Insurance.

69 Refuse to accept claim form professional malpractice claim.

70 And refuse to give me information about his type of insurance.

**71 And refuse to give me information about what kind of professional
insurance coverage he carries. And what is cover.**

Relief Requested

Great American insurance is liable for \$100,000 with interest and other courts cost
might come to plaintiff. Great American is liable for not cooperating with
Plaintiff. Plus other fees or expenditure might occur. Jury trial demanded.

Shawn M. Breimayer, CSR (6888)

72 Defendant was on day off dated: Oct. 4. 2002

**73 Defendant Shawn was on day off but specially brought to report the final
judgment order.**

74 Even though original time of case was 8:30 o'clock on Oct. 4. 2002 but Shawn court reporter could not come early so case hearing has to be delayed until Shawn came and hearing commenced at 9.53 am. Even though the scheduled reporter was on duty at 8:30 am on Oct. 4. 2002.

75 Why Shawn reporter was brought to report?

76 Special early time was arranged just only for this case usually trial judge hear cases after noon.

77 Judgment was arrange very secret time for the final judgment so no other person can be present in the court it was very fearful scene for plaintiff.

Punitive damages

Defendants' conduct as described above is willful, intentional and malicious resulting from fraud, insult and malice and is associated with aggravating circumstances, such as willfulness, wantonness, malice, oppression, outrageous conduct, indignity, insult, fraud, and criminal conduct, thus warranting plaintiff's recovery of punitive damages, to be determined by the trier of fact. Plus litigation fees can be taken into consideration when estimating the foregoing punitive damages that are more than \$ 75000. Whatever jury feels fair to compensate plaintiff.

Jury Demand

Plaintiff hereby demands a trial by jury pursuant to Rule 38(b) of the Federal Rules of Civil Procedure.

Ad Dannum Clause

Michigan State is responsible for their employees for their unwanted actions against plaintiff and plaintiff make responsible to Michigan State for relief and demand jury trial.

Based upon the foregoing pleaded facts, plaintiff prays for compensatory and punitive damages in the amount of Ten Million Dollars (\$10,000,000.00) from Michigan State Dept for depriving plaintiff from his civil right, due process and deprive him from constitutional right. And give him mental torture.

Or, in the alternative, that this court fine that Craig Noland should be disbarred from practice and Craig Noland and his firm be investigated to determine if their participation in representing in similar cases requires discipline, and compensatory and punitive damages in the amount of five hundred thousand (\$500,000).

First Relief request from Michigan State

WHEREFORE, plaintiff prays that this Court:

- A. Order defendants to disclose the requested records in their entireties and make copies available to plaintiff.
- B. Provide for expeditious proceedings in this action;
- C. Award plaintiff its costs and reasonable interest incurred in this action; and
- D. Grant such other relief as the Court may deem just and proper.
- E. Demand jury trial.

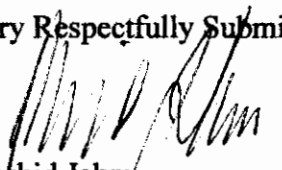
Second Relief request

WHEREFORE, plaintiff prays that this Court find and bring Craig Noland.

- A. Order defendant Craig Noland to disclose the requested records in their entireties and make copies available to plaintiff.
- B. Provide for expeditious proceedings in this action;
- C. Award plaintiff its costs and reasonable interest incurred in this action; and
- D. Grant such other relief as the Court may deem just and proper.
- E. Demand jury trial.
- F. Order and Find Craig Noland and order him to provide plaintiff under oath who are the other parties were with him in planting the jury member and altering the photo and loading the original picture of the accident on the CD. Plaintiff request relief from Craig Noland for the amount of \$5000000 with interest or whatever Jury feel fair for his actions and damages to plaintiff. And bar him from practice.

Very Respectfully Submitted

DT: 07-31-05


Rashid Jahm
49 Hallenar Ave
Lawrence, MA.01841
(978) 258-9419

SOCIAL SECURITY
439 S UNION ST
SUITE 4208
LAWRENCE MA 01843

Social Security Administration
Supplemental Security Income
Notice of Change in Payment

Date: November 28, 2004
Claim Number: 106-66-0721 DI

041 B015,M4E,133,022115 000022115 01 AV 0.278

RASHID AHMAD JAHM
49 HALLENAN AVE
LAWRENCE MA 01841-3253

|||||

We are writing to tell you about changes in your Supplemental Security Income payments. The rest of this letter will tell you more about this change.

We explain how we figured the monthly payment amounts shown below on the last page(s) of this letter. The explanation shows how your income, other than any SSI payments, affects your SSI payment. It also shows how we decided how much of your income affects your payment amount. We include explanations only for months where payment amounts change.

Information About Your Payments

- The amount due you beginning January 2005 will be \$101.00.
- The amount due you is being raised because the law provides for an increase in Supplemental Security Income payments in January 2005 if there was an increase in the cost-of-living during the past year.

Your Payment Is Based On These Facts

Our records show that the following income used to figure your payment has also changed--

Your increased Social Security benefits--before any deductions for Medicare premiums-- of \$498.00. You should receive the increased Social Security benefit about January 3, 2005. We must count the increase in your benefits for January 2005 even though we are counting your other income for November 2004.

See Next Page

11/28/2004

How To Appeal

There are two ways to appeal. You can pick the one you want. If you meet with us in person, it may help us decide your case.

- Case Review. You have a right to review the facts in your file. You can give us more facts to add to your file. Then we'll decide your case again. You won't meet with the person who decides your case. This is the only kind of appeal you can have to appeal a medical decision.
- Informal Conference. You'll meet with the person who decides your case. You can tell that person why you think you're right. You can give us more facts to help prove you're right. You can bring other people to help explain your case.

If You Want Help With Your Appeal

You can have a friend, lawyer or someone else help you. There are groups that can help you find a lawyer or give you free legal services if you qualify. There are also lawyers who do not charge unless you win your appeal. Your local Social Security office has a list of groups that can help you with your appeal.

If you get someone to help you, you should let us know. If you hire someone, we must approve the fee before he or she can collect it.

If You Have Any Questions

For general information about SSI, visit our website at www.socialsecurity.gov on the Internet. There, you will also find the law and regulations about SSI eligibility and SSI payment amounts.

For general questions about SSI or specific questions about your case, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 978-686-6171. Our lines are busiest early in the week and early in the month, so if your business can wait, it's best to call at other times. We can answer most questions over the phone. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY
SUITE 4208
439 SOUTH UNION STREET
LAWRENCE MA 01843

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

RASHID JAHN

DEFENDANTSMichigan State + parties
and Craig Noland + parties(b) County of Residence of First Listed Plaintiff
(EXCEPT IN U.S. PLAINTIFF CASES)County of Residence of First Listed
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Attorneys (If Known)

05-11038 JLT

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State ☐ 1 ☐ 1 Incorporated or Principal Place of Business In This State ☐ 4 ☐ 4
- Citizen of Another State ☒ 2 ☐ 2 Incorporated and Principal of Business In Another State ☐ 5 ☐ 5
- Citizen or Subject of a Foreign Country ☐ 3 ☐ 3 Foreign Nation ☐ 6 ☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

| CONTRACT | TORTS | FORFEITURE/PENALTY | BANKRUPTCY | OTHER STATUTES |
|--|--|--|--|--|
| <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability | PERSONAL INJURY <input type="checkbox"/> 311 Airplane <input type="checkbox"/> 312 Airplane Product Liability <input type="checkbox"/> 321 Assault, Libel & Slander <input type="checkbox"/> 331 Federal Employers' Liability <input type="checkbox"/> 341 Marine <input type="checkbox"/> 342 Marine Product Liability <input type="checkbox"/> 351 Motor Vehicle <input type="checkbox"/> 352 Motor Vehicle Product Liability <input type="checkbox"/> 361 Other Personal Injury | <input type="checkbox"/> 362 Personal Injury—Med. Malpractice <input type="checkbox"/> 365 Personal Injury—Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability | <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark | <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input checked="" type="checkbox"/> 460 Deportation <input checked="" type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 890 Other Statutory Actions |
| REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property | CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Other Civil Rights | PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General Habeas Corpus <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition | LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act | SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609 |

V. ORIGIN

(PLACE AN "X" IN ONE BOX ONLY)

- ☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing and write brief statement of cause. Do not cite jurisdictional statutes unless diversity.)

VII. REQUESTED IN COMPLAINT:☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23**DEMAND \$**CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No**VIII. RELATED CASE(S) IF ANY**

(See instructions): JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG. JUDGE _____

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ATTACHMENT 3

1. TITLE OF CASE (NAME OF FIRST PARTY ON EACH SIDE ONLY) _____

2. CATEGORY IN WHICH THE CASE BELONGS BASED UPON THE NUMBERED NATURE OF SUIT CODE LISTED ON THE CIVIL COVER SHEET. (SEE LOCAL RULE 40.1(A)(1)).

470 ✓ I. 160, 410, 470, R.23, REGARDLESS OF NATURE OF SUIT.

— II. 195, 368, 400, 440, 441-444, 540, 550, 555, 625, 710, 720, 730, 740, 790, 791, 820*, 830*, 840*, 850, 890, 892-894, 895, 950.

*Also complete AO 120 or AO 121
for patent, trademark or copyright cases

— III. 110, 120, 130, 140, 151, 190, 210, 230, 240, 245, 290, 310, 315, 320, 330, 340, 345, 350, 355, 360, 362, 365, 370, 374, 380, 385, 450, 891.

— IV. 220, 422, 423, 430, 460, 510, 530, 610, 620, 630, 640, 650, 660, 690, 810, 861-865, 870, 871, 875, 900.

— V. 150, 152, 153.

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3. TITLE AND NUMBER, IF ANY, OF RELATED CASES. (SEE LOCAL RULE 40.1(G)). IF MORE THAN ONE PRIOR RELATED CASE HAS BEEN FILED IN THIS DISTRICT PLEASE INDICATE THE TITLE AND NUMBER OF THE FIRST FILED CASE IN THIS COURT.

4. HAS A PRIOR ACTION BETWEEN THE SAME PARTIES AND BASED ON THE SAME CLAIM EVER BEEN FILED IN THIS COURT?

YES ☐ NO ☒

5. DOES THE COMPLAINT IN THIS CASE QUESTION THE CONSTITUTIONALITY OF AN ACT OF CONGRESS AFFECTING THE PUBLIC INTEREST? (SEE 28 USC §2403)

YES ☒ NO ☐

IF SO, IS THE U.S.A. OR AN OFFICER, AGENT OR EMPLOYEE OF THE U.S. A PARTY?

YES ☒ NO ☐

6. IS THIS CASE REQUIRED TO BE HEARD AND DETERMINED BY A DISTRICT COURT OF THREE JUDGES PURSUANT TO TITLE 28 USC §2284?

YES ☐ NO ☐7. DO ALL OF THE PARTIES IN THIS ACTION, EXCLUDING GOVERNMENTAL AGENCIES OF THE UNITED STATES AND THE COMMONWEALTH OF MASSACHUSETTS ("GOVERNMENTAL AGENCIES"), RESIDING IN MASSACHUSETTS RESIDE IN THE SAME DIVISION? - (SEE LOCAL RULE 40.1(D)).YES ☐ NO ☒A. IF YES, IN WHICH DIVISION DO ALL OF THE NON-GOVERNMENTAL PARTIES RESIDE?EASTERN DIVISION ☐ CENTRAL DIVISION ☐ WESTERN DIVISION ☐

B. IF NO, IN WHICH DIVISION DO THE MAJORITY OF THE PLAINTIFFS OR THE ONLY PARTIES, EXCLUDING GOVERNMENTAL AGENCIES, RESIDING IN MASSACHUSETTS RESIDE?

EASTERN DIVISION ☒ CENTRAL DIVISION ☐ WESTERN DIVISION ☐

(PLEASE TYPE OR PRINT)

ATTORNEY'S NAME _____

ADDRESS _____

TELEPHONE NO. _____

(Att3Cover sheet local wpd - 11/27/00)